

#5
4/3/00

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: the Assistant Commissioner for Patents, Washington, D.C. 20231 on March 24, 2000.



K. Shannon Mrksich
Name of Applicant, assignee or Registered Representative

K.S. Mrksich
Signature of above

March 24, 2000
Date of Signature

PATENT
Our Case No. 8642/88

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

NABEL ET AL

SERIAL NO.: 09/458,610

FILED: December 10, 1999

FOR: TREATMENT OF DISEASES BY SITE
SPECIFIC INSTILLATION OF CELLS OR SITE-
SPECIFIC TRANSFORMATION OF CELLS AND
KITS THEREFOR

)
)
)
) EXAMINER:
)
) ART UNIT: 1633
)
)
)
)
)
)

INFORMATION DISCLOSURE STATEMENT

Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

Pursuant to the obligation under 37 C.F.R. § 1.56 and in conformance with
37 C.F.R. §§ 1.97-1.99, Applicant brings to the attention of the Examiner in charge of the
above-captioned case the references in the attached PTO-1449 that may be relevant to the

examination of the above-captioned patent application. Applicant has enclosed a form PTO-1449.

These references are:

U.S. PATENT DOCUMENTS

U.S. Patent No.	Date	Inventor
4,332,893	06/01/82	Rosenberg
4,353,888	10/12/82	Sefton
4,636,195	01/13/87	Wolinsky
4,824,436	04/25/89	Wolinsky
4,874,746	10/17/89	Antoniades et al.
5,087,617	02/11/92	Smith
5,580,859	12/03/96	Felgner et al.
5,589,466	12/31/96	Felgner et al.
5,662,896	09/02/97	Barber et al.
5,707,969	01/13/98	Nabel et al.

FOREIGN PATENT DOCUMENTS

Patent No.	Date	Country
0 273 085 A1	12/29/86	EPO
WO 90/11092	10/04/90	PCT

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

Mulligan, Richard C., *The Basic Science of Gene Therapy*, Science, Vol. 260, 5/14/93

Hiroshi, Arai et al., *Gene transfer of Fas ligand induces tumor regression in vivo*, Proc. Natl. Acad. Sci. USA, Vol. 94, pp. 13862-13867, 12/97

Hiroshi, Arai et al., *Inhibition of the alloantibody response by CD95 ligand*, Nature Medicine, Vol. 3, No. 8, August, 1997

Brown, David, *Gene Therapy 'Oversold' By Researchers, Journalists*, The Washington Post, 12/08/95

Bubenik, J. et al., *Local administration of cells containing an inserted IL-2 gene and producing IL-2 inhibits growth of human tumours in nu/nu mice*, Immunology Letters, 19 (1988) 279-282

Coghlan, Andy, *Gene dream fades away*, New Scientist, 11/25/95

Felgner, Philip L. et al., *Lipofection: A highly efficient, lipid-mediated DNA-transfection procedure*, Proc. Natl. Acad. Sci. USA, Vol. 84, pp. 7413-7417, 11/87

Nabel, Elizabeth G. et al., *Recombinant Gene Expression in Vivo Within Endothelial Cells of the Arterial Wall*, Science, pp. 1342-1344, Vol. 244,

Nabel, Gary J. et al., *Immunotherapy for Cancer by Direct Gene Transfer into Tumors*, Human Gene Therapy, 5:57-77 (1994), Mary Ann Liebert, Inc., Publishers

Nabel, Elizabeth G. et al., *Site-Specific Gene Expression In Vivo by Direct Gene Transfer Into the Arterial Wall*, Science, pp. 1285-1288, Vol. 249, 9/90

Nabel, Gary J. et al., *Immune response in human melanoma after transfer of an allogeneic class I major histocompatibility complex gene with DNA-liposome complexes*, Proc. Natl. Acad. Sci. USA, Vol. 93, p. 15388-15393, 12/96

Nabel, Gary, J. et al., *Direct gene transfer with DNA-liposome complexes in melanoma: Expression, biologic activity, and lack of toxicity in humans*, Proc. Natl. Acad. Sci. USA, Vol. 90, pp. 11307-11311, 12/93

Nabel, Gary J., *Response to the Points to Consider for Immunotherapy of Malignancy by In Vivo Gene Transfer into Tumors*, Human Gene Therapy, 3:705-711 (1992), Mary Ann Liebert, Inc., Publishers

Ogura, Hiromi et al., *Implanation of Genetically Manipulated Fibroblasts into Mice as Antitumor -Interferon Therapy*, Cancer Research 50, 5102-5106, 8/15/90

Plautz, Gregory E. et al., *Immunotherapy of malignancy by in vivo gene transfer into tumors*, Proc. Natl. Acad. Sci. USA, Vol. 90 4645-4649, May, 1993

Selden, Richard F. et al., *Implantation of Genetically Engineered Fibroblasts into Mice: Implications for Gene Therapy*, Science, Vol. 236, pp. 714-718, 5/87

Tanaka, Kenichi et al., *Reversal of Oncogenesis by the Expression of a Major Histocompatibility Complex Class I Gene*, Science, Vol. 228, pp. 26-30, 4/85

Wang, Chen-Yen et al., *Highly Efficient DNA Delivery Mediated by pH-Sensitive Immunoliposomes*, Biochemistry 1989, 28, 9508-9514

Wilson, James M. et al., *Implantation of Vascular Grafts Lined with Genetically Modified Endothelial Cells*, Science, Vol. 244, pp. 1344-1346, June, 1989

Wolff, Jon A. et al., *Transfer Into Mouse Muscle In Vivo*, Science, Vol. 247, March, 1990

Zwiebel, James A. et al., *High-Level Recombinant Gene Expression in Rabbit Endothelial Cells Transduced by Retroviral Vectors*, Science, Vol. 243, pp. 220-222, January, 1989

Broadley et al., *Federation of American Societies for Experimental Biology Journal*, vol. 5, no. 4, pp. 539A, abstract 977, "Transfection of wounds in vivo with Transforming Growth Factor-B Accelerates Healing", 1991.

This Information Disclosure Statement is being submitted before the mailing of a first Office Action on the merits, pursuant to 37 C.F.R. § 1.97(b).

Respectfully submitted,

Date: March 24, 2000

Shannon Mrksich

K. Shannon Mrksich

Registration No. 36,675

Attorney for Applicants

BRINKS HOFER GILSON & LIONE

P.O. Box 10395

Chicago, Illinois 60610

Telephone: (312) 321-4200

Facsimile: (312) 321-4299